

REMARKS

Claims 1-18, 23-30, and 32-36 are pending. All claims stand rejected.

Rejection of Claims under 35 U.S.C. §102(e) is Traversed

The Examiner rejected claims 1-8, 12, 15-18, 29, 30, and 32-36 as allegedly anticipated by U.S. Published Application No. 2005/0014196 to Carbonell, *et al.* (Carbonell). Office Action at page 2. In view of the Declaration submitted herewith and the following remarks, Applicants respectfully traverse the rejection.

The asserted provisional priority date of Carbonell is April 4, 2003. As supported by the Declaration under 37 CFR §1.131 and the Exhibit thereto, Applicants conceived of and reduced to practice the subject matter of the claimed invention prior to the effective date of the reference. The activities discussed in the Declaration and evidenced in the Exhibits took place in the United States at Bayer Corporation. Accordingly, Carbonell is not available as prior art against the claims of the present application. For at least the foregoing reason, the rejection must be withdrawn.

Rejection of Claims under 35 U.S.C. §103(a) is Traversed

The Examiner rejected claims 2, 8-11, 13-14, and 23-28 as allegedly unpatentable over Carbonell. Office Action at page 8. In view of the foregoing and following remarks, Applicants respectfully traverse the rejection.

As indicated above and as supported by the Declaration and Exhibits filed herewith, Carbonell is not available as prior art against the claims of the present application. Accordingly, the rejection must be withdrawn.

CONCLUSIONS

It is believed that all asserted bases for rejection have been properly traversed. Accordingly, it is Applicants' position that the application is in condition for immediate allowance. Early notice to that effect is respectfully requested.

Should the Examiner have any questions regarding this reply, she is invited to contact Applicants' representative using the information provided below.

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Date



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